

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6688

BILL NUMBER: SB 201

NOTE PREPARED: Apr 5, 2005

BILL AMENDED: Mar 22, 2005

SUBJECT: Emergency Management.

FIRST AUTHOR: Sen. Wyss

FIRST SPONSOR: Rep. Ruppel

BILL STATUS: As Passed House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires the State Emergency Management Agency to establish a program to certify emergency management organizations and professional emergency managers. The bill requires a county emergency management organization or interjurisdictional disaster agency in which a county participates to be certified as an emergency management organization. It requires a county emergency management director to be certified as a professional emergency manager. It also establishes an interim study committee to study certain public safety and homeland security issues.

Effective Date: July 1, 2005.

Explanation of State Expenditures: In order to implement the provisions of the bill, SEMA does not anticipate that it will need additional staff or resources, either now or in the future. SEMA will be able to handle any additional costs and responsibilities given its current budget and staff. SEMA currently has certification training in place.

Background: Under the proposal, SEMA must establish and implement a professional emergency management certification program. SEMA must establish standards for disaster emergency plans and education and training standards for emergency managers and instructors. Additionally, SEMA must approve written competency examinations and issue two-year certificates, provisional certificates, and renewal certificates.

If SEMA determines that a certificate holder has engaged in fraud or other deceptive practices pertaining to professional emergency management services, requirements, or activities, the certificate holder may be subject to sanctions. SEMA may revoke, suspend, issue a letter of reprimand, temporarily suspend, reinstate a

suspended certificate, or deny a certificate to an applicant. SEMA may also prohibit the applicant from reapplying for a certificate for a length of time established by the SEMA. A certificate holder may not surrender the certificate without the written approval of SEMA. SEMA may also impose disciplinary or corrective measures. SEMA must be consistent in the application of sanctions. Significant departures from prior decisions involving similar conduct must be explained in SEMA's findings and orders. Applicants may appeal SEMA decisions. SEMA must adopt rules to implement these provisions.

(Revised) *Interim Study Committee*. The bill establishes the Interim Study Committee on Public Safety and Homeland Security. The committee must operate under the policies governing study committees adopted by the Legislative Council. The committee expires January 1, 2006. According to previous Legislative Council resolutions, if the committee consists of 16 or fewer members, the committee's budget would be limited to \$8,000. If the committee consists of more than 16 members, the committee would be limited to a budget of \$15,000. Expenses of the committee would be paid from General Fund moneys that are appropriated to the Legislative Services Agency (LSA). LSA would also provide staff for the committee.

Explanation of State Revenues:

Explanation of Local Expenditures: Under current law, counties must maintain a county emergency management advisory council and a county emergency management organization or participate in an interjurisdictional disaster agency. The proposal requires that the county emergency management organization or the interjurisdictional disaster agency must be certified. A disaster agency director must be certified as a manager, and a county organization or a disaster agency must be supervised by a certified disaster director. A certified emergency management organization must have a current disaster emergency plan that is certified. A county emergency management organization that exists on July 1, 2005, or an interjurisdictional disaster agency in which a county participates, that exists on July 1, 2005, and the director are not required to be certified until July 1, 2009.

A manager must keep SEMA informed of the county organization or disaster agency that employs or supervises the manager's activities. A manager must report to SEMA any action by a person, an organization, or other entity that may justify the revocation or suspension of a certificate.

To establish a county emergency management organization or emergency management program, the county must adopt an ordinance, resolution, or other measure. The emergency management program is not effective until it is approved by the state agency.

SEMA may require the submission of periodic reports from a certified emergency management organization. A certified emergency management organization must report to SEMA the actions of a person, an organization, or an entity that may justify the revocation or suspension of a certificate issued by SEMA to the person, organization, or entity.

The above provisions may add administrative expenses to the counties. The impact is indeterminable, could vary by county, and will depend on whether current directors are certified.

Explanation of Local Revenues:

State Agencies Affected: Legislative Services Agency; State Emergency Management Agency.

Local Agencies Affected: Counties, county emergency management advisory councils and county emergency management organizations, and interjurisdictional disaster agencies.

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